

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

MICHAEL EUGENE HAYNES

PLAINTIFF

V.

CAUSE ACTION NO. 5:18-CV-38-DCB-MTP

WARDEN JODY BRADLEY, et al.

DEFENDANTS

ORDER

Before the Court is pro se plaintiff Michael Eugene Haynes ("Haynes")'s Motions for Temporary Restraining Orders ("TROs") (Docs. 84, 87, 88, and 89), United States Magistrate Judge Michael T. Parker's Report and Recommendation (Doc. 103), and Plaintiff Haynes's Objections (Docs. 108, 113, and 114). For the reasons that follow, the Court ADOPTS Magistrate Judge Parker's Report and Recommendation and OVERRULES Haynes's untimely Objections.

Background

Haynes is a post-conviction inmate and filed four motions seeking temporary restraining orders against several defendants relating to different aspects of his conditions of confinement at Wilkinson County Correctional Facility ("WCCF"). See Docs. 84, 87, 88, and 89. On April 24, 2019, Magistrate Judge Parker entered a

report and recommendation, concluding that the Court should deny Haynes's motions. Doc. 103, p. 4. Haynes had until May 8, 2019, to file a written objection. Doc. 103, p. 4; see 28 U.S.C. § 636(b)(1). Haynes filed a written objection on May 16, 2019, (Doc. 108) and again on June 7, 2019 (Doc. 113). Both of Haynes's objections are untimely. Haynes filed a letter to Magistrate Judge Parker on June 20, 2019, in which he states, "I am still trying to respond to the Order dated 4-24-19." Doc. 114, p. 4. To the extent that Haynes continues to object to the Report and Recommendation, it is untimely as well.

Analysis

When a party objects to a magistrate judge's recommendations, the Court reviews de novo those recommendations to which an objection is made. 28 U.S.C. § 636(b)(1)(C).

The Court need not reiterate the findings and conclusions of a magistrate judge. Battle v. U.S. Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987). Nor need it consider frivolous, conclusory, or generalized objections. Id. at 421. After its review, the Court may accept, reject, or modify the recommendation of the magistrate judge, receive further evidence in the case, or return the matter to the magistrate judge with further instructions. 28 U.S.C. § 636(b)(1)(C).

The Court has reviewed de novo the report and recommendation of Magistrate Judge Michael T. Parker: it correctly concludes that Haynes's motions for TROs should be denied. Haynes's objections are untimely, lack merit, and are overruled.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Michael T. Parker's Report and Recommendation (Doc. 103) is ADOPTED as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that Haynes's Motions for Temporary Restraining Orders (Docs. 84, 87, 88, and 89) are DENIED and his objections (Docs. 108, 113, and 114) are OVERRULED.

SO ORDERED this the 27th day of June, 2019.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE